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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/687,510	10/12/2000	John J. Gabrick	MINMAT.P02	1134

7590 09/25/2002

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EXAMINER

TO, BAOQUOC N

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 09/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/687,510

Applicant(s)

GABRICK ET AL.

Examiner

Baoquoc N To

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Claims 1-16 are presented for examination.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakayama et al. (US. Patent No. 6,339,774).

Regarding on claims 1 and 12, Nakayama teaches system for web based development and exploitation of IP, the system comprising:

- c. a registration module [col. 13, lines 35-36];
- d. a match module [col. 13, lines 38-39];

whereby the registration module is adapted to accept and store dated (dated) related to an innovator and the innovator's innovation in an innovation database [col. 14, lines 20-31], and further

whereby the match module is adapted to match a registered innovation and innovator with a developer having stated requirements and resources for development [col. 13, lines 45-54].

Nakayama does not explicitly teach an innovator module and the developer attraction module. However, Nakayama teaches, "the information sharing support system 1, comprises an information registration section, an information referencing

section 3, an evaluation information processing section 4 and an additional information processing section 5" [col. 13, lines 35-39]. This teaches there are multiple modules to handle different tasks. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify modules in the Nakayama in order to provide an information sharing system adapted to receive references' responses to the disclosed and upload information and generate evaluations for the them by statistically processing the response in order to encourage disclosure of information and promote the utilization of disclosed information in the information sharing system.

Regarding on claim 2, Nakayama teaches the database is operably stored for random retrieval on a storage medium [col. 13, lines 45-49].

Regarding on claims 3 and 15-16, Nakayama teaches updates and changes to innovation related data are also stored in the innovation database [col. 14, lines 63-65].

Regarding on claims 4 and 13, Nakayama teaches the match module is adapted to match one or more innovations with one or more developers [col. 14, lines 56-62].

Regarding on claim 5, Nakayama teaches a tracking module; whereby any status or outcome of any matching activity related to the innovation is made available to a user [col. 16, lines 35-55].

Regarding on claim 6, Nakayama teaches any status or outcome (evaluation) of any matching activity related to the innovation is also operably stored in a tracking database for later retrieval by a user (information discloser) [col. 17, lines 46-67 and col. 18, lines 1-7].

Regarding on claims 7 and 14, Nakayama teaches status or outcome (evaluation) of matching activity is fed for storage to the innovation database [col. 17, lines 10-36].

Regarding on claim 8, Nakayama teaches the innovation database and the tracking database are interoperably connected for data sharing [col. 13, lines 35-17].

Regarding on claim 9, Nakayama teaches at least one module resides on a computing device [col. 13, lines 35-38].

Regarding on claim 10, Nakayama teaches at least one different module resides on a different computing device, and the two computing devices are interconnected for data communication over an information network [col. 13, lines 35-38].

Regarding on claim 11, Nakayama teaches the information network is a global information network [col. 15, lines 10-13].

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is (703) 305-1949 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached at (703) 305-4393.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

- (703) 746-7238 [After Final Communication]
- (703) 746-7239 [Official Communication]
- (703) 746-7240 [Non-Official Communication]

Hand-delivered responses should be brought to:

Crystal Park II  
2121 Crystal Drive  
Arlington, VA 22202  
Fourth Floor (Receptionist).

Baoquoc N. To

September 11, 2002

  
SHAHID AL ALAM  
PATENT EXAMINER